

Notice of Allowability

Application No.

09/842,671

Examiner

Douglas Q. Tran

Applicant(s)

OGATA ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment on 2/15/05.
2. ☒ The allowed claim(s) is/are 1-10, 12-23, 25 and 26.
3. ☒ The drawings filed on 27 April 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Tran

Allowable Subject Matter

1. Claims 1-10, 12-23, 25 and 26 are allowed.

Claims 1, 8, 14, and 21 are independent claims.

The following is an examiner's statement of reasons for allowance:

As to claims 1, 8, 14, and 21, the present invention from the application discloses a developing apparatus and a developing method for controlling a replenishing amount of the developer from using a first developing electrical field and a normal image (or a gradation amount) from using a second developing electrical field wherein “ a changed amount of a density of the developed image with respect to a changed amount of a density of the toner in the developer in the developer containing portion is greater when using the first developing electrical field than using the second developing electrical field”.

The closest prior art such as Nakane et al. (US Patent No. 5,351,107), which is attached in the Examiner's Remark, discloses the relation between a high-density image developed on a photosensitive drum and corresponding to high-density gradation data, a low-density image developed on the same and corresponding to low-density gradation data, and a toner-amount measuring section; and Shida (US Patent No. 6,449,442 B1), which is attached in the Examiner's Remark, discloses the excessive amount of replenished toner renders image density undesirably high, causes the developer to overflow from the developer container, and/or renders the toner ratio of the developer in the developer container excessively high, preventing the toner from being charged to the desirable potential level, which in turns allows the toner particles to scatter.

Art Unit: 2624

However, either of the above prior art, including an updated electronic text search, fails to anticipate or render the above underlined limitations of claims 1, 8, 14, and 21 obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Examiner's Remark

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Nakane et al. (US Patent No. 5,351,107) discloses the relation between a high-density image developed on a photosensitive drum and corresponding to high-density gradation data, a low-density image developed on the same and corresponding to low-density gradation data, and a toner-amount measuring section.

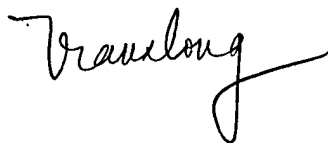
Shida (US Patent No. 6,449,442 B1) discloses the excessive amount of replenished toner renders image density undesirably high, causes the developer to overflow from the developer container, and/or renders the toner ratio of the developer in the developer container excessively high, preventing the toner from being charged to the desirable potential level, which in turns allows the toner particles to scatter.

Art Unit: 2624

Contact information

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (571) 272-7442 or E-mail address is douglas.tran@uspto.gov.

Douglas Q. Tran
May 24, 2005

A handwritten signature in black ink, appearing to read "Tran Douglas", with a long horizontal flourish extending to the right.